

**UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF INDIANA  
INDIANAPOLIS DIVISION**

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UNITED STATES and STATE OF INDIANA  
*ex rel.* JUDITH ROBINSON,

Plaintiffs/Relator,

v.

INDIANA UNIVERSITY HEALTH, INC.  
f/k/a CLARIAN HEALTH PARTNERS, INC.  
HEALTHNET, INC., and MDWISE, INC.

Defendants.

Case No. 1:13-cv-2009-TWP-MJD

Judge Tanya Walton Pratt

Magistrate Judge Mark J. Dinsmore

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**DEFENDANT INDIANA UNIVERSITY HEALTH, INC.'S  
PRELIMINARY WITNESS AND EXHIBIT LIST**

Pursuant to this Court's May 15, 2015 Order Regarding Defendants' Motion for Enlargement of Time (ECF No. 88), Defendant Indiana University Health, Inc. ("IU Health") submits its preliminary witness and exhibit list. IU Health's investigation into the factual and legal issues arising out of the Amended Complaint is in its preliminary stages and remains ongoing. Additional witnesses and/or exhibits necessary for trial may be subsequently discovered or identified, or witnesses and/or exhibits identified below may not be used at trial. As such, IU Health reserves the right to supplement and/or modify witnesses and/or exhibits listed pursuant to further investigation or discovery that may be conducted subsequent to the date of this list. This list does not include witnesses or exhibits IU Health may use for purposes of impeachment or rebuttal. IU Health reserves any objections it may have to any attempt to introduce any of the witnesses or exhibits as evidence at trial.

**I. PRELIMINARY WITNESSES OR CATEGORIES OF WITNESSES**

IU Health may call some or all of the following witnesses, or categories of witnesses, at trial:

1. Dr. Judith Robinson;
2. Martha Allen;
3. Michele Ashworth;
4. Linda Chase;
5. Dr. John Kohne;
6. Orson Mason;
7. Dr. Michael Niemeier;
8. James Terwilliger;
9. Mary Blackburn;
10. Carrie Bonsack;
11. J. Cornelius Brown;
12. Larry Flick;
13. Dr. Kendra Karner;
14. Blythe Kinsey;
15. Elvin Plank;
16. Booker Thomas;
17. Dr. Donald Trainor;
18. Other representatives of IU Health, to be determined;
19. Patients and other individuals identified in Relator's Amended Complaint or otherwise identified in connection with this case, to be determined;
20. Employees of MDwise, Inc.;

21. Employees of the Indiana Office of Medicaid Policy and Planning;
22. Employees and/or contractors of Myers & Stauffer LLC;
23. Witnesses identified in Relator's or other Defendants' Initial Disclosures, Preliminary Witness Lists, discovery responses, depositions, or supplements to the same, to be determined;
24. Testifying experts identified by any party;
25. Witnesses to identify and authenticate any exhibits in this lawsuit; and,
26. Physicians, Certified Nurse Midwives, or other health care staff that worked with Dr. Robinson at IU Health or HealthNet clinics, to be determined.

IU Health reserves the right to amend and/or supplement the foregoing list and reserves any objections it may have to the testimony of any of the above named witnesses.

## **II. PRELIMINARY EXHIBITS OR CATEGORIES OF EXHIBITS**

IU Health submits the following exhibits, or categories of exhibits, that it presently believes it may introduce at trial:

1. Patient medical records, census information, and other patient documentation;
2. Business records; financial documents; manuals; other guidance related to participation, billing, and reimbursement; patient claim information; and other documents related to Indiana Medicaid;
3. Business records and documents relating to MDwise;
4. Business records, contracts, and other documents regarding or relating to HealthNet;
5. IU Health policies, procedures, and guidelines;
6. Documents and communications with oversight agencies;

7. All documents referenced in Relator's Complaint;
8. HR files and records for IU Health employees;
9. Medical staff, ancillary staff, hospital licensing, credentialing, certification, and survey files;
10. Staffing schedules and reports;
11. Documents produced to the government in response to previous subpoenas;
12. Pleadings in this case;
13. All discovery responses and documents provided by a party or a non-party in this action;
14. Documents introduced, identified, or discovered during litigation;
15. All expert reports and/or disclosures for testifying experts; and
16. Transcripts of and all exhibits introduced at all depositions.

IU Health reserves the right to amend and/or supplement the foregoing list. IU Health reserves any objections it may have to any attempt to introduce any of the foregoing documents and things as evidence at trial.

Dated: June 26, 2015

Respectfully submitted,

*/s/ Stephen G. Sozio*

Stephen G. Sozio (admitted *pro hac vice*)

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**CERTIFICATE OF SERVICE**

I certify that on June 26, 2015 a copy of the foregoing Defendant Indiana University Health Inc. Preliminary Witness and Exhibit List was filed electronically. Service of this filing will be made on all ECF-registered counsel by operation of the Court's electronic filing system. Parties may access this filing through the Court's system.

/s/ Stephen G. Sozio  
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